

Application Instructions
Waste Tire Enforcement Grant
Fiscal Year 2002/2003 (8th Cycle)

Background

Senate Bill (SB) 876 (Escutia, Statutes of 2000, Chapter 838) requires the California Integrated Waste Management Board (Board) to consider designating a city or county, or city and county as the enforcement authority of regulations relating to the storage and handling of waste and used tires. It also requires that if the Board designates a local entity for this purpose, it provides sufficient, stable, and noncompetitive funding as provided in the *Five-Year Plan for the Waste Tire Recycling Management Program (Five-Year Plan)*. A \$1.00 fee on new tires sold in California provides funding for the Waste Tire Enforcement Grant program.

At its March 20-21, 2001 meeting, the Board adopted the *Five-Year Plan for the Waste Tire Recycling Management Program*. To encourage participation in the Waste Tire Enforcement Grant program, the *Five-Year Plan* recommended a transition from a yearly grant application process to one in which participating agencies are ensured of a stable source of funding without the need for annual application. *The Five-Year Plan* allocates **four million dollars (\$4,000,000) for fiscal year (FY) 2002/2003** and **six million dollars (\$6,000,000) each fiscal year, thereafter**, to maintain existing and set up additional local enforcement jurisdictions.

Funding

Four million dollars (\$4,000,000) is available for this FY Waste Tire Enforcement Grant program. Eligible applicants may request up to three hundred thousand dollars (\$300,000). Award of the FY 2002-2003 Waste Tire Enforcement Grant is contingent upon and subject to the availability of funds. The Board reserves the right to fund individual phases of selected proposals, and may therefore, fund an amount less than requested. The Board will award grants on a non-competitive basis. Applicants meeting the eligibility requirements will be considered for funding.

Applicant Eligibility

Local Enforcement Agencies and California cities, counties, special districts, joint powers agencies, or political subdivisions, thereof, with experience in the enforcement of laws and regulations and the protection of public health and safety and the environment may apply for a Waste Tire Enforcement Grant. Cities or counties may submit a regional application with authorization from other cities and/or counties. A regional lead jurisdiction must be designated for regional programs to act on behalf of all participating jurisdictions. Each jurisdiction may submit only one grant application. Therefore, if a jurisdiction submits an application as part of a regional program, it may not apply individually.

Program Eligibility

The successful applicants will investigate illegal tire disposal activities, perform waste tire facilities inspections, and survey tire dealers, auto dismantlers, tire haulers, and other points of waste tire generation to ensure compliance with all applicable laws and regulations, including the new manifest system. Inspections are followed up with appropriate compliance actions to ensure

that operators are following all tire facility regulations, including storage standards, use of registered tire haulers, and manifest requirements.

The Waste Tire Enforcement Grant Program shall consist of the following activities:

Facility Inspections

The intent of this activity is to develop and implement an effective inspection and compliance program at the local level that includes providing guidance to facility operators, and if necessary, taking enforcement actions to remediate threats to the public health and safety, and the environment. Under this activity it will be the responsibility of the Grantee to conduct Waste Tire Facility inspections of those facilities that accept or store more than 500 waste tires at one location.

Site Inventory

The intent of this activity is to reinforce the tire generator's responsibility to store tires safely and use "registered waste tire haulers" for waste tire removal. Waste tire transportation and final disposition are properly documented through the tire manifest system. These site visits present opportunities to educate business regarding regulatory issues and to solicit information about illegal tire activities in the area. These site visits will also serve the purpose of establishing an inventory of each site in California and will be included in a database for tracking purposes.

Enforcement

After conducting a facility inspection and determining non-compliance, a Letter of Violation (LOV) will be issued by the Grantee to the owner/operator advising them of the outstanding violation(s) and requiring a Corrective Action Plan (CAP) indicating how the owner/operator will comply with the applicable standards or provide a remediation plan for the removal of the waste tires. If the owner/operator fails to submit a CAP, a Warning Letter will then be issued by the Grantee to the owner/operator allowing an additional period of time for the owner/operator to submit the CAP. If compliance has not been met after the LOV or Warning Letter process, the Grantee will refer the site to the Board's Enforcement personnel who will assist with appropriate enforcement actions.

Surveillance

A significant part of the Waste Tire Enforcement Grant will include the time spent in the field looking for illegal tire disposal activities. The law makes it illegal to store or stockpile tires without the proper permits. In addition, people who transport tires must be registered and follow specific manifest requirements. An aggressive surveillance campaign is often the first step in finding and mitigating illegal tire disposal. It also levels the playing field for legitimate tire businesses by ensuring that all are following the same set of laws and regulations.

Training

Training on related laws and regulations will be provided to designated enforcement agencies throughout the grant period. The Board will provide standardized inspection forms and survey sheets used to gather information at tire facilities and generators and will also provide public information materials to be distributed to tire businesses.

Grant Term

The term of the grant is May 1, 2003 through June 30, 2004.

Schedule

December 13, 2002	Grant application due
February 2003	Board considers/approves awards
March 2003	Staff prepares Grant Agreements
April 2003	Grant Agreements executed
May 1, 2003	Grant recipients implement programs
June 2004	Grant Term Ends - final report and payment request due

Please note that this is a tentative schedule and subject to change.

Application Instructions

Guidelines for completing the 2002/03 Waste Tire Enforcement Grant Application:

- Applicant - Name of applying jurisdiction. If a regional program, list all of the participating jurisdictions, with the lead jurisdiction listed first.
- Primary Contact - The Primary Contact is the person responsible for carrying out the project goals and objectives. This person will be the contact for all matters regarding the Grant, including but not limited to: agreement status, program implementation and semi-annual reports.
- Signature Authority - The Signature Authority is authorized and empowered, pursuant to Resolution, to execute in the name of the applicant(s) all necessary applications, contracts, payment requests, agreements, and amendments to implement the Grant program. The Signature Authority must be a local government employee. The resolution for the lead jurisdiction of the Grant should include the title of the signature authority.
- Maximum Total Grant Amount - Identifies the total costs for the activities you plan to implement with the Grant funds.
- Certification - The signature must be of the person authorized by the resolution.
- Approved Resolution - An approved resolution from each applicant's governing body authorizing submittal of the application and identifying the title of the individual authorized to execute any agreement and requests for payment must be submitted with the application package or received separately by **March 1, 2003**. Please select your authorized representative carefully because this will be the only person whose signature will be recognized by the Board. There are two resolution options depending upon the type of application you submit:
 1. Individual Applicant – For a city or county applying alone.
 2. Regional Applicant – For a city or county applying with at least one other jurisdiction.

(Sample resolutions are attached, and are also on the Board's website. These samples are provided for guidance purposes only. Consult your attorney.)

- A List of Waste Tire Facilities, Generators, Haulers, and End Users - Provide a list of sites in the categories listed. Include company names and addresses for businesses and nearest locations for illegal tire disposal sites.

Budget Itemization

The Project Eligibility describes all tasks that are necessary to conduct the waste tire enforcement program. Please provide a budget estimate for each item in accordance with the following instructions:

Personnel Costs:

Includes salaries, wages, and benefits for personnel who are employed by or under contract with the grantee and will work directly on the project. To estimate personnel costs use the following guidelines:

- Facility Inspections/ Site Inventories. Estimate the time and costs for waste tire facility inspections and generator site inventories based on a minimum of 1 and a maximum of 3 inspections/site inventories per site per year. Calculate costs based on maximum of 4 hours per inspection/site inventory to include travel time, inspection/survey, inspection report preparation, and initial compliance activities.
- Enforcement. Estimate time and costs for Enforcement activities beyond is encompassed in the above inspections/ site inventories. These activities may include, but are not limited to; letters of violation, warning letters, clean-up and abatement orders, time spent applying for clean up grants and monitoring remediation activities, etc. For purposes of this estimate use a maximum of 30% of staff time for the Enforcement activity contingency.
- Surveillance. Estimate time and costs for surveillance or time in the field patrolling for illegal tire disposal and hauler activities.
- Education. Estimate the time spent on public education and outreach related to waste tire enforcement issues.
- Training. Estimate the time and costs for staff training. The Board conducts an annual 3-day Waste Tire Management Conference and an annual 3-day LEA Training Conference. Grantees are encouraged to attend. There will be an additional waste tire enforcement training period of approximately 3-days duration. Also estimate any other training to enhance your waste tire enforcement program.
- Reporting. Estimate the time and costs for reporting. Grantees will be required to submit inspection reports on a quarterly basis and maintain a database for inspection reports. The Grantee will also be required to prepare and submit an annual report to the Board summarizing the work performed and accomplishments of the program at the end of the grant term.

Equipment and Materials/Supplies

Itemize the costs of purchasing and/or leasing equipment and materials/supplies required for the Waste Tire Enforcement Grant Program. For equipment purchases itemize the quantity and purchase price. Provide estimates whenever possible. Equipment and materials/supplies shall not exceed 25% of the grant program

Services/Contracts

Provide estimates for services contracts not included in the above categories. Includes contracts with transportation and recycling businesses, construction and engineering services, etc.

Miscellaneous Costs

Estimate other costs not included in the above categories.

Payments

Grant funds are paid on a reimbursement basis for the actual costs directly related to the implementation of the program. In order to receive payments, Grantees must:

- 1) Complete and return the Grant Agreement form, including all required authorizing documentation, signed by the authorized signatory (as listed on the resolution) within 90 days of the date of mailing of the agreement package by the Board.
- 2) Complete and return the Grant Payment Request Form signed by the authorized signatory.
- 3) Submit all required reports on time and follow the Procedures and Requirements and Terms and Conditions issued for the Waste Tire Enforcement Grant.

To enable Grantees to pay associated start-up costs, requests for advance payment may be considered if they are submitted to the Board's Grant Manager. The request must demonstrate: 1) the Grantee's need for advance payment; 2) that the Grantee will incur a specific expenditure before or shortly after payment from the Board; and 3) the Grantee's ability to expend the funds upon receipt. Advance payment must be reconciled before any further payments are processed. The Grant Manager may partially or fully deny requests for advance payment.

Failure to comply with any of the requirements may result in a jurisdiction not receiving some or all of its grant funding under this and future grant cycles.

Application Submittal

Applications must exhibit a dated commercial carrier tracking number (e.g., UPS, FedEx, etc.) or be postmarked by Friday December 13, 2002. Hand delivered, faxed, or e-mailed applications will not be accepted. Late applications will be returned to the applicant and not be considered for grant funding.

Applicants are encouraged to apply early. Should the amounts requested exceed available funding, priority for funding shall be given to existing and previous Grantees. New applicants will be considered on a first-come, first-served basis based on when the application is postmarked. Those jurisdictions which applied for and did not receive a grant due to lack of funds will be given priority over new applicants in the next cycle of grants.

Applicants must submit **one original and three copies** of the application to the Board.
Please submit applications to:

**California Integrated Waste Management Board
Grants Administration Unit
PO Box 4025
Sacramento, CA 95812-4025
ATTENTION: PHIL POON, MS 10**

Grant Application Checklist:

- ☐ Completed Application with Budget (certified by the Signature Authority)
- ☐ List of Waste Tire Facilities and Generators
- ☐ Signed Resolution by the Signature Authority

RESOLUTIONS – Directions and Samples

INDIVIDUAL APPLICANTS (City or County)

An individual applicant may provide one of the following:

An approved resolution from the applicant's governing body authorizing submittal of an application for the Waste Tire Enforcement Grant identifying the **title** of the individual authorized to execute any agreements, contracts, and request for payments; OR

An approved resolution authorizing, for up to five (5) years, the submittal of grant applications to the Board for all available Waste Tire Enforcement Grants, identifying the **title** of the individual authorized to execute any agreements, contracts, and requests for payments. *Note: Benefit of a multiple year/grant resolution is that it can be used for future applications.*

SAMPLE RESOLUTION: Individual Applicants/Jurisdiction (City or County)

RESOLUTION AUTHORIZING SUBMITTAL OF WASTE TIRE ENFORCEMENT GRANT APPLICATION

(Sample/Please Retype)

WHEREAS, funds are allocated and available from the California Integrated Waste Management Board for grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by cities and counties under the program; and

WHEREAS, the applicant demonstrates it has sufficient staff resources, technical expertise, and/or experience with similar projects to carry out the proposed program; and

WHEREAS, the applicant will enter into an agreement with the State of California for implementation of a waste tire enforcement program;

NOW, THEREFORE, be it resolved that the Title of governing body of the local jurisdiction: Authorizes the submittal of an application to the California Integrated Waste Management Board for a Waste Tire Enforcement Grant for a period of _____ **(Indicate Time Period – not more than 5 years).**

BE IT FURTHER RESOLVED that the Title of official, or their designee, is hereby authorized and empowered to execute in the name of Name of jurisdiction all necessary applications,

contracts, payment requests, agreements, and amendments hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the application.

The foregoing resolution was passed by the Title of governing body of the local jurisdiction

this_____day of _____, 20_____. Effective_____, 20_____.

Signed:

(Name and Title of official authorized to sign) Date_____

REGIONAL APPLICANTS

Regional Programs with one lead jurisdiction and at least one participating jurisdiction

In addition to the resolution for the lead applicant, applications must also include ONE of the following authorization documents for each participating jurisdiction. (The inclusion of the participants' names in the lead applicant's resolution does not take the place of the authorization document.)

A resolution from each participating jurisdiction authorizing the lead applicant to act on its behalf as both Applicant and Grant Administrator (entity that implements the grant program); OR

An authorization letter from the County Administrator/City Manager from each participating jurisdiction stating that the jurisdiction wants to participate in the regional program and authorizing the lead applicant to act on its behalf as both Applicant and Grant Administrator; OR

A copy of a Memorandum of Understanding specifically for this grant from each participating jurisdiction authorizing the lead applicant to act on behalf of the jurisdiction both as Applicant and Grant Administrator.

SAMPLE RESOLUTION – Lead Applicant of a Regional Program

WHEREAS, funds are allocated and available from the California Integrated Waste Management Board for grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by cities and counties under the program; and

WHEREAS, the applicant for itself and on behalf of the following participating jurisdictions will enter into an agreement with the State of California for implementation of a regional waste tire enforcement program;

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal of a regional application on behalf of **(Participating Cities or Counties)** to the California Integrated Waste Management Board for the Waste Tire Enforcement Grant, Fiscal Year 2002/2003.

BE IT FURTHER RESOLVED that the **(Title of Official)**, or its designee, is hereby authorized and empowered to execute in the name of the participating jurisdictions all necessary applications, contracts, payment requests, agreements, and amendments hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

If the lead applicant does not want to list participants' names in the resolution, the resolution could read:

NOW, THEREFORE, BE IT RESOLVED that the **(Title of Governing Body)** authorizes the submittal of a regional application on behalf of the participating jurisdictions (as shown by the attached authorizing letters) to the California Integrated Waste Management Board for the Waste Tire Enforcement Grant, Fiscal Year 2002/2003.

SAMPLE RESOLUTION – Participant in a Regional Program

WHEREAS, funds are allocated and available from the California Integrated Waste Management Board for grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by cities and counties under the program; and

WHEREAS, **(Name of Lead Jurisdiction)** has agreed to act as lead jurisdiction on behalf of **(Name of Participating Jurisdiction)**;

NOW, THEREFORE, BE IT RESOLVED that the **(Name of Participating Jurisdiction)** authorizes the **(Name of Lead Jurisdiction)** to submit to the California Integrated Waste Management Board a regional application for the Waste Tire Enforcement Grant, Fiscal Year 2002/2003 on its behalf.

BE IT FURTHER RESOLVED that the **(Name of Lead Jurisdiction)** is hereby authorized and empowered to execute all necessary applications, contracts, payment requests, agreements, and amendments hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

AUTHORIZATION LETTER INFORMATION

Cities and Counties may submit an authorization letter in lieu of a resolution.

SAMPLE AUTHORIZATION LETTER

Dear CIWMB:

The **(Name of participating jurisdiction)** authorizes **(Name of Lead Jurisdiction)** to submit to the CIWMB a regional application for the Waste Tire Enforcement Grants on its behalf. The **(Name of Lead Jurisdiction)** is hereby authorized and empowered to execute all necessary applications, contracts, payment requests, agreements, and amendments hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

Sincerely,

City Manager (or County Administrator)